

1997-98 SESSION  
COMMITTEE HEARING  
RECORDS

Committee Name:

*Joint Committee on  
Finance  
(JC-Fi)*

Sample:

- Record of Comm. Proceedings
- 97hrAC-EdR\_RCP\_pt01a
- 97hrAC-EdR\_RCP\_pt01b
- 97hrAC-EdR\_RCP\_pt02

➤ Appointments ... Appt

➤

➤ Clearinghouse Rules ... CRule

➤

➤ Committee Hearings ... CH

➤

➤ Committee Reports ... CR

➤

➤ Executive Sessions ... ES

➤

➤ Hearing Records ... HR

➤

➤ Miscellaneous ... Misc

➤ 97hr\_JC-Fi\_Misc\_pt05j\_DPR

➤ Record of Comm. Proceedings ... RCP

➤

Joint Finance

16.515/16.505

14 Day Passive  
Reviews

5/14/97 -

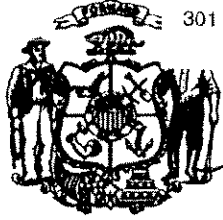
6/30/97

DAS  
6/16/97

# THE STATE OF

DIRECTOR BOB LANG  
JT FINANCE COMM.  
LFB  
301 E MAIN

SENATE CHAIR  
BRIAN BURKE



Room 302H  
P.O. Box 7882  
Madison, WI 53707-7882  
Phone: (608) 266-8535

315-N Capitol  
P.O. Box 8952  
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## JOINT COMMITTEE ON FINANCE

June 17, 1997

Secretary Mark Bugher  
Department of Administration  
101 East Wilson Street, 10<sup>th</sup> Floor  
Madison, Wisconsin 53707

Dear Secretary Bugher:

We are writing to inform you that the Joint Committee on Finance has reviewed your request pursuant to s. 16.515/16.505(2), Stats., pertaining to a request from the Milwaukee County District Attorney's Office.

No objections have been raised concerning this request. Accordingly, the request is approved.

Sincerely,

Handwritten signature of Brian Burke in black ink.

BRIAN BURKE  
Senate Chair

Handwritten signature of Scott Jensen in black ink.

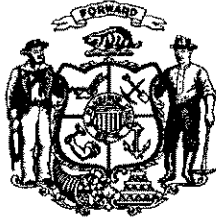
SCOTT JENSEN  
Assembly Chair

cc: Members, Joint Committee on Finance  
Linda Nelson, Department of Administration  
Bob Lang, Legislative Fiscal Bureau

# THE STATE OF WISCONSIN

SENATE CHAIR  
**BRIAN BURKE**

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ASSEMBLY CHAIR  
**SCOTT JENSEN**

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## JOINT COMMITTEE ON FINANCE

### MEMORANDUM

To: Members  
Joint Committee on Finance

From: Senator Brian Burke  
Representative Scott Jensen  
Co-Chairs, Joint Committee on Finance

Date: May 28, 1997

Re: s. 16.515/16.505, Stats., Request

Attached is a copy of a request from the Department of Administration, dated May 28, 1997, pursuant to s. 16.515/16.505, Stats., pertaining to a request from the District Attorneys office in Milwaukee County.

Please review these items and notify **Senator Burke's** or **Representative Jensen's** office no later than, **Monday, June 16, 1997**, if you have any concerns about the request or would like the Committee to meet formally to consider it.

Also, please contact us if you need further information.

BB/SJ/jc

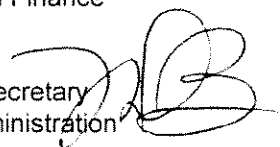
**CORRESPONDENCE\MEMORANDUM****STATE OF WISCONSIN  
Department of Administration**

*Date:* April 28, 1997

*To:* The Honorable Brian Burke, Co-Chair  
Joint Committee on Finance

The Honorable Scott Jensen, Co-Chair  
Joint Committee on Finance

*From:* Mark D. Bugher, Secretary  
Department of Administration



*Subject:* S. 16.515/16.505(2) Requests

Enclosed are requests which have been approved by this department under the authority granted in s. 16.515 and s. 16.505(2). The explanation for each request is included in the attached materials. Listed below is a summary of each item:

<u>AGENCY</u>	<u>DESCRIPTION</u>	<u>1995-96</u>		<u>1996-97</u>	
		<u>AMOUNT</u>	<u>FTE</u>	<u>AMOUNT</u>	<u>FTE</u>
Dist. Attorneys 20.475(1)(h)	Gifts and Grants				3.0*

\*Position Authority expiring December 31, 1998.

As provided in s. 16.515, this request will be approved on June 18, 1997, unless we are notified prior to that time that the Joint Committee on Finance wishes to meet in formal session about this request.


Please contact Jay Huemmer at 266-1072, or the analyst who reviewed the request in the Division of Executive Budget and Finance, if you have any additional questions.

Attachments

**CORRESPONDENCE\MEMORANDUM****STATE OF WISCONSIN  
Department of Administration**

*Date:* May 21, 1997

*To:* Mark D. Bugher, Secretary  
Department of Administration

*From:* Scott Aker, Budget Analyst   
State Budget Office

*Subject:* Request under s. 16.505 for 3.0 FTE project assistant district attorney (ADA) positions in Milwaukee County to prosecute domestic violence crimes.

**REQUEST:**

The Department of Administration, on behalf of the Milwaukee County District Attorney's Office, requests approval of 3.0 FTE project assistant district attorney (ADA) positions authorized under s. 20.475(1)(h), *Gifts and Grants*, in order to prosecute domestic violence crimes. Position authority is requested for the period June 23, 1997 to December 31, 1998.

**REVENUE SOURCES FOR APPROPRIATION:**

The source of revenue for the appropriation under s. 20.475 (1)(h), *Gifts and Grants*, is federal funds awarded directly to Milwaukee County under the Violence Against Women Act (VAWA). While federal funds will pay for the positions, the counties will be required to reimburse the state through agency 475 (District Attorneys) because ADAs are state employees.

**BACKGROUND:**

The Milwaukee County District Attorney's Office received a direct federal grant of \$429,515 for an 18 month period from March 1, 1997 through August 31, 1998. The award includes \$235,200 for salary and fringe benefits for three ADA positions dedicated to domestic violence prosecution. Milwaukee County received the grant April 1, 1997 and, under stipulations of the grant award, may apply for an extension to December 31, 1998 for reasonable cause. It is likely that the county will be granted the four-month extension. Since this is a continuing appropriation, approval of the Joint Committee on Finance is required only for the position authorization. No state matching funds are required for this grant.

**ANALYSIS:**

Wisconsin law has mandated the arrest of domestic violence offenders since April 1, 1989. Incidences of domestic violence reviewed by the Milwaukee County District Attorney's Office have nearly doubled since that time. In September 1994 three new courts for domestic violence cases were created, opening the doors for significant workload increases for the District Attorney's Office.

In 1995, the DA's Office adopted a more aggressive prosecution policy in domestic violence cases. In 1994 the office charged only 3,700 persons out of 15,400 referrals (about 24%). In

1995, 63% were charged (9,200 out of 14,700 referrals). As a result, misdemeanor filings in Milwaukee County Circuit Court increased 32% from 1994 (12,800 filings) to 1995 (16,800 filings).

Each domestic violence court currently is staffed by one ADA. Currently the single ADA is responsible for being present at all hearings, which leaves inadequate time for review and charging of new referrals. Thus, under the current system cases frequently are dismissed due to inability to review the case and locate and/or interview victims.

Under this grant, for the next 18 months each domestic violence court would be assigned two ADAs. The additional ADA in each court would provide necessary resources to handle existing caseload in court, review and charge the nearly 40 new referrals the office receives every day (including weekends), and prepare the new cases for trial.

Domestic abuse and other violent crimes against women are a growing concern throughout Wisconsin and the nation. Milwaukee County law enforcement officials experience a disproportionate level of domestic violence: although Milwaukee County represents approximately 19 percent of the state's population, it experiences, on average, 52 percent of the state's domestic violence incidents. Focused federally-funded pilot projects to develop strategies to combat crimes against women provide seed money to establish programs in other Wisconsin communities. The three project positions will be 100% federally funded.

While federal funds will pay for the positions, the counties will be required to reimburse the state through agency 475 (District Attorneys) because ADAs are state employees. Approval of this request will require total additional expenditure authority in s. 20.475(1)(h) of \$235,200 PRO in FY97 and FY98. The exact amounts for each fiscal year will be determined through the DOA allotment process. Since this is a continuing appropriation, approval of the Joint Committee on Finance is required only for the position authorization.

In its June 12, 1996 approval letter to former Secretary Klauser, the Joint Committee on Finance noted four concerns with approving additional ADA positions outside the context of the weighted caseload methodology recommended by the Legislative Audit Bureau. Specifically, the committee requested: 1) an explanation of the effect of the positions on weighted caseload for the requesting counties; 2) an assessment of similar caseload problems in counties not addressed in the request; 3) an explanation of why the request has greater priority than similar needs in other counties; 4) why this type of caseload has greater priority than other types.

Focused federally-funded prosecution efforts may have an impact on the county's general weighted caseload, but to reduce the overall caseload weights in light of this pilot project would be short-sighted. The federal resources directed to Milwaukee County under this grant were awarded on a competitive basis, with level of domestic violence per capita and the quality of a county's application being the major criteria. In addition, the experience gained in Milwaukee County may be applicable in many counties. The result could be efficiencies which reduce the time necessary to prosecute crimes against women, therefore a reduction in weighted caseload for many counties.



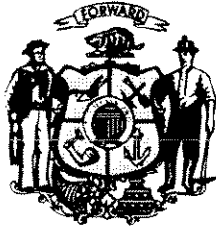
Mark D. Bugher, Secretary  
May 21, 1997  
Page 3

**RECOMMENDATION:**

Approve the request for 3.0 FTE ADA project positions in Milwaukee County (June 23, 1997 to December 31, 1998). This approval does not constitute the commitment of current or future GPR funding for these positions. Such approval can only be obtained through the biennial budget process.

STATE OF WISCONSIN  
DEPARTMENT OF ADMINISTRATION  
101 East Wilson Street, Madison, Wisconsin

TOMMY G. THOMPSON  
GOVERNOR  
MARK D. BUGHIER  
SECRETARY



Mailing Address:  
Post Office Box 7869  
Madison, WI 53707-7869

CC CA  
SA

DATE: April 16, 1997

TO: Rick Chandler, Administrator  
Division of Executive Budget and Finance

FROM: Charles E. McDowell, Administrator  
Division of Administrative Services

SUBJECT: **REQUEST UNDER S. 16.505 FOR DEPARTMENT 475:  
MILWAUKEE DISTRICT ATTORNEY'S OFFICE**

APR 18 1997

On behalf of the Milwaukee County District attorney's Office, I submit the attached request for PR position authority for department 475, District Attorneys.

If you have any questions, please direct them to Stuart Morse, Director, State Prosecutors Office (7-2700) or Richard Wagner, Budget Analyst, Bureau of Financial Management (6-0653).

Thank you for your attention to this matter.

Attachment

cc: Stuart Morse  
Richard Wagner

# **DEPARTMENT OF ADMINISTRATION REQUEST UNDER S. 16.505 FOR POSITION AND EXPENDITURE AUTHORIZATION**

## **I. REQUEST**

The Department of Administration requests, under s. 16.505, the authorization of 3.0 FTE PR prosecutorial positions in appropriation s. 20.475(1)(h) for the Milwaukee County District Attorney's (DA) Office. Authorization is requested for the period from June 23, 1997 through December 31, 1998.

## **II. BACKGROUND**

The Milwaukee County District Attorney's Office was awarded a federal Violence Against Women Act (VAWA) grant of \$429,515 for an 18 month period from March 1, 1997 through August 31, 1998. The award was made directly by the federal department of Justice, Office of Justice Programs, Violence Against Women Act Grant Office. The award notice was not received by the Milwaukee DA office until April 7, 1997 and the s. 16.505 process will require several weeks to complete. Based on information on grant extensions in the grant program manual, which permits extensions of the grant end point for reasonable cause, the DA's office believes that an extension to December 31, 1998 can be obtained once state approval is received.

The VAWA grant will provide funds for three additional full-time assistant district attorney (ADA) positions as well as added resources for county DA responsibilities. The grant includes sufficient funds to cover the salary and fringe benefits of three ADAs.

The general purpose of the grant is to encourage coordinated and integrated prosecution of domestic violence cases. The specific application in Milwaukee will be to enhance the implementation of the Wisconsin Mandatory Arrest law (covering perpetrators of domestic violence) by assuring thorough investigation and evidence gathering, proper case preparation and on-going contact with victims in domestic violence cases. The anticipated result will be that Milwaukee County will increase offender accountability and victim safety.

## **III. ANALYSIS**

These positions are in furtherance of the State's policy to fight domestic abuse, sexual abuse and assault and other violent crimes against women.

## **IV. FISCAL ANALYSIS**

The grant has sufficient funds for the three positions requested. The appropriation is continuing and will be reestimated based on actual experience.

## V. REVENUE SOURCE FOR APPROPRIATION

The federal statutory authority for the grant is Title I of the Omnibus Crime Control and Safe Streets Act (OCCSSA) of 1968, 42 USC 5601 et. seq., as amended. The source of the funds is Title I of the OCCSSA, 42 USC 3701 as amended. The award number is 97-WE-VX-0019.

## VI. SPECIAL INFORMATION

The co-chairs of the Joint Committee on Finance, in a letter to Department of Administration Secretary James R. Klauser dated June 12, 1996, set forth four additional items of information that should be included in a s.16.505 request for additional positions in the District Attorney program.

- 1) *An explanation of the effect of the positions on weighted caseload for the requesting counties (the LAB methodology is suggested).*

DOA carried out the analysis recommended by the LAB and used it as a part of the Governor's overall analysis of the 1997-99 DA budget request. Table 1 indicates the LAB methodology's results updated through the positions expected to exist as of July 1, 1997 based on current information and highlights the impact of the three positions requested on Milwaukee DA office. It is important to note that the position need shown in the LAB methodology is a general need responding to all duties of a DA office and is not specific to a particular type of criminal activity or caseload such as that covered by the VAWA.

- 2) *An assessment of similar caseload problems in counties not addressed by the request.*

Detailed data on violence against women with which to make such an analysis are not available.

- 3) *An explanation of why the request has greater priority than similar needs existing in other counties.*

All counties had the opportunity to apply for the VAWA grant funds. Only Milwaukee County applied.

- 4) *If the request is intended to address a specific type of caseload, an explanation of why this type of caseload has a greater priority than other types.*

The VAWA funds may not be used to address other types of caseloads.

**Analysis using latest 3 years of Court data and  
expected FTE on 7/1/97**

DA Office Code	DA Office	FTE needed per LAB methodology (without VAWA positions)	FTE needed per LAB methodology (with VAWA positions)
1	Adams	0.23	0.23
2	Ashland	0.25	0.25
3	Barron	-0.68	-0.68
4	Bayfield	-0.12	-0.12
5	Brown	1.97	1.97
6	Buffalo	-0.21	-0.21
7	Burnett	0.24	0.24
8	Calumet	-0.30	-0.30
9	Chippewa	0.74	0.74
10	Clark	-0.11	-0.11
11	Columbia	0.28	0.28
12	Crawford	-0.33	-0.33
13	Dane	3.55	3.55
14	Dodge	-0.68	-0.68
15	Door	-0.21	-0.21
16	Douglas	-0.22	-0.22
17	Dunn	-0.76	-0.76
18	Eau Claire	3.05	3.05
19	Florence	-0.15	-0.15
20	Fond du Lac	1.11	1.11
21	Forest	0.23	0.23
22	Grant	0.53	0.53
23	Green	-0.40	-0.40
24	Green Lake	0.13	0.13
25	Iowa	-0.76	-0.76
26	Iron	-0.63	-0.63
27	Jackson	-0.95	-0.95
28	Jefferson	0.86	0.86
29	Juneau	-0.11	-0.11
30	Kenosha	-1.48	-1.48
31	Kewaunee	-0.65	-0.65
32	La Crosse	2.49	2.49
33	Lafayette	-0.66	-0.66
34	Langlade	0.15	0.15
35	Lincoln	-0.20	-0.20
36	Manitowoc	2.10	2.10
37	Marathon	1.75	1.75
38	Marinette	0.67	0.67
39	Marquette	-0.04	-0.04
<b>40</b>	<b>Milwaukee</b>	<b>13.33</b>	<b>10.33</b>
41	Monroe	1.07	1.07
42	Oconto	0.03	0.03

**Analysis using latest 3 years of Court data and  
expected FTE on 7/1/97**

DA Office Code	DA Office	FTE needed per LAB methodology (without VAWA positions)	FTE needed per LAB methodology (with VAWA positions)
43	Oneida	0.26	0.26
44	Outagamie	0.96	0.96
45	Ozaukee	0.06	0.06
46	Pepin	-0.32	-0.32
47	Pierce	-1.57	-1.57
48	Polk	0.02	0.02
49	Portage	-0.77	-0.77
50	Price	-0.24	-0.24
51	Racine	6.21	6.21
52	Richland	-0.60	-0.60
53	Rock	3.77	3.77
54	Rusk	-0.58	-0.58
55	Saint Croix	-2.81	-2.81
56	Sauk	0.46	0.46
57	Sawyer	1.18	1.18
58	Shaw/Men	0.33	0.33
59	Sheboygan	0.34	0.34
60	Taylor	-0.06	-0.06
61	Trempealeau	-0.34	-0.34
62	Vernon	-1.28	-1.28
63	Vilas	-0.52	-0.52
64	Walworth	-0.38	-0.38
65	Washburn	0.15	0.15
66	Washington	-0.18	-0.18
67	Waukesha	-6.12	-6.12
68	Waupaca	-0.56	-0.56
69	Waushara	-0.26	-0.26
70	Winnebago	3.00	3.00
71	Wood	0.05	0.05